

**MEETING NOTES**  
**COMMUNITY INVOLVEMENT ADVISORY COUNCIL**

**April 7, 2016**

**Smyrna Area Rest Stop**  
**Smyrna, Delaware**

**Members Present:** Robert Frederick, Anthony Jay Julis, Sarah Keifer, Pamela Meitner, William Pelham, Leolga Wright

**Members Absent:** Jason Adkins, Joseph Farrell, LaVaida Owens-White, Marvin Thomas, Harold Truxon

**DNREC:** James Brunswick, Patrick Emory, Nicole Bixby, Christina Wirtz

**I. Meeting Called to Order**

Mr. Pelham called the meeting to order at 9:35 a.m.

**II. Meeting Protocol Review**

Each Member read a point of the Council's protocol.

**III. Review/Approval of Meeting Notes**

***MOTION was made by Ms. Pamela Meitner to approve the February 16, 2016 meeting notes and a second was made by Mr. Anthony Jay Julis. All in favor and the motion carried.***

**IV. Membership Updates**

James advised that Mr. Thomas was reappointed last month. There are two pending resignations in Sussex County. They are Mr. Truxon who advised he can't continue due to health reasons and Mr. Farrell who is retiring in July and moving out of state. Mr. Farrell stated he thinks it's important for the Governor's Office to review the appointee's relationship with the communities. Along with Mr. Frederick, they have been able to hold meetings with the department and the communities to address issues. Mr. Farrell advised that engaging local people that are impacted by issues in the community is huge. James advised that the Ellendale Civic Association is planning a large dinner for Mr. Truxon. Mr. Emory advised the council that moving forward with any of these community meetings will have a cost associated with it. He advised that it would come out of either CIAC funds or charged back to the division. Ms. Meitner advised CIAC doesn't have the funding for that. Mr. Emory advised that it may not always tie back to a permitting issue in order to be billed back to a division. Ms. Wright advised that Indian River Volunteer Fire Department has rental space for free for these types of meetings.

## V. Community Environmental Project Fund

### A. 2016 Funding Cycle

James handed out a 2016 CEPF schedule. He advised that October 6 is the goal for doing the presentations for CIAC. The grant review subcommittee members would be looking at the September dates for reviewing the applications. The goal is for August 4 the applications to be available, due in by September 9. That would give the subcommittee the week of September 12-19 to review applications. Mr. Pelham asked the new members if they had any interest in sitting on the grant review subcommittee. Ms. Keifer and Ms. Wright both had interest in sitting in.

### B. 2015 CEPF Project Status

Americorps project is already underway. This is the veteran's conservation corps with Parks & Recreation and they have hired two veterans to remove invasive species. Part of their job is to develop a corps of volunteers who will be training hopefully 300 volunteers to take care of issues in state parks. The grant was for \$20,000 for equipment and van rental for one year. Parks has over 5,000 volunteers in state parks.

The City of Milford project is underway through Brad Dennehy. One concern the council had was funding. We gave them a \$20,000 grant and the cost is more than that. Brad thinks the other funding will be there and the boat/kayak ramp will be in process.

Delaware Academy of Science is the bee pollinator project and it has started. They are currently recruiting the students at the Vo-Tech school to participate.

Old Brandywine Village is having issues. They were finally able to get the President of the Board to sign the contract. They are moving on through the purchase order process. The project targets Northeast Wilmington to create recreational opportunities for the City of Wilmington residents on the Brandywine. This project has now been incorporated into the Federal Home Loan Bank, Blue Print Communities program. The city has adopted these community-generated plans for community and economic development and it will be working with other government and private entities to help with funding. James advised that the City of Wilmington has formally assigned a planner to help coordinate the work with city, state, and federal initiatives.

Town of Leipsic is the only contract that has not been received. The town council met in March and they decided to send the contract to a lawyer for review. They are expected to vote on it in the May meeting.

Cornerstone West was a 2014 project and was granted \$20,000 to involve the communities surrounding city parks to come up with new designs for their parks. They involved 500 volunteers in coming up with plans for recreation recreational activities and equipment for the parks. The total costs were \$2.3 million to date and they have raised \$2.1 million for construction. They expect to find the remaining funds. James advised they called because there are five parks in their target area and they want to go after the remaining two parks. They have already begun to build the

Friends groups for the newly targeted parks. They will be searching for DNREC funds to address water and drainage issues in Cool Springs Park. They want to come in to the 2016 funding cycle for funding to support the creation of designs for the remaining two parks. Mr. Pelham asked how much the project was last time. James advised it was \$20,000 for three parks. Mr. Pelham stated he assumes that there is some engineering and landscape architect involved in doing their own designs. James advised yes there is.

Delaware Center for Horticulture is another project outstanding from 2014. \$6,000 remains out of the \$17,000 grant. James asked if the council wanted them to give the remaining funds back or give them the opportunity to complete the project. James has never received a final report on the project. Ms. Meitner asked if they would have to start the project all over again. James advised the funds spent were for supplies and materials to reconstruct gardens. They have completed that part of the project. Mr. Pelham inquired if James would like to invite them to the June meeting to do a presentation.

## **VI. Allen Harim-Harbeson Waste Water Treatment Plant Workshop**

### **A. Tony Hummel-Surface Water Discharges**

Tony Hummel reported that the public hearing was held on November 18, 2015 with 30 people in attendance. James advised that the document he was handing out was prepared by Surface Water Discharges in response to the questions that were raised by the public at the November 18 Public Hearing. Senator Ernie Lopez asked the Department to put their responses in writing. Tony continued. Local Legislators got involved because they felt that their constituents didn't have an opportunity to be involved, as the public hearing was held in the wrong watershed, and took place in Millsboro instead of a closer location. Tony Hummel advised that most of the responses were already included in the technical response to the hearing and in the Secretary's Order. Some of the questions and concerns from the community were not related to the permit. James advised that by adopting the sort of a robust public involvement process recommended as best practices, the Department could eliminate a lot of these concerns by developing a public involvement plan for each Public Hearing. Ms. Meitner stated it seems there is a difference between getting the issues from the community and actually resolving them. Ms. Meitner also expressed concerns with CIAC holding these meetings with no training on how to facilitate the meetings. James advised that if you review the original 33 recommendations, a suggested practice was to make environmental information available early on in the decision-making process, so that local land use and zoning boards could address community concerns before they get to DNREC. A related recommendation suggests community outreach training for all DNREC staff that have to interact with the public. The Original Recommendations also suggest that there should be formal Community Assistance Providers positions in each Division. Ms. Wright stated that if the State was proactive in letting the community know what they are proposing beforehand, the community would be a lot more receptive. Mr. Pelham asked if a

workshop would be appropriate. Ms. Wright stated as long as the workshop is held before the decision is made. Mr. Pelham asked that Deputy Secretary Coats attends the next meeting in order to clarify some of these expectations.

**B. Davidson Mwale-Surface Water Discharges**

Mr. Mwale explained the specifics of the permits and the different phases. He advised that Allen Harim currently has a high compliance rate with the department and he believe they will continue.

**VII. Ombudsman Report**

**A. 3/22 EPA Office of Enforcement Compliance Environmental Justice (OECEJ)/DNREC Leadership Team Meeting**

James advised that EPA staff from OECEJ attended DNREC's leadership team meeting and the Department is reviewing environmental justice best practices that could be adopted by the Department. James advised that the Deputy Secretary wants to attend our meeting and he believes it would be helpful to pass out the original 33 recommendations at that meeting. He stated they can look over them to see what the obstacles have been and what can be done to make them a reality. Ms. Meitner advised that there was a committee; not this council that made the 33 recommendations. One recommendation was to form a council when legislation passed. Mr. Frederick asked James if he could send them out to the council.

**B. Clean Power Plan Public Community Outreach**

James advised that in the next few months they will begin the clean power plan outreach. He explained that it eliminates or reduces the emissions from coal power plants and generates cleaner power. The plan is to reach out, identify and engage the communities to see what type they would like to see. James advised that the City of Wilmington and New Castle County provided him with spreadsheets to identify community organizations, but the problem we foresee is how to keep the list updated. He advised there is a request for an intern to create a statewide database of community organizations, local news outlets and social media. The info will be developed into a data base and eventually integrated into GIS maps. Every division will have access to that information.

**C. Coverdale Community Council/Solid Hazardous Waste Management Branch Inspection**

James handed out a visual for Coverdale Community. James advised that there are several companies owned by Kaye Construction and two affiliates; Mr. Mulch and Seaford Concrete are expanding and they have requested Sussex County Conditional Use permits. This is another example where it would have benefited a community to have environmental information available early on in the process, at the point where a company has to go before municipal and county boards for permit decisions. The Coverdale Community Council wanted information about any

potential environmental problems so they could address them at the Sussex County Public Hearing for the Conditional Use Permit. James advised that in the process, the community group discovered that some of the facilities don't have DNREC permits. So, in response DNREC's Environmental Crimes Unit and the Waste and Hazardous Substance conducted a site investigation to see whether there might be any violations at those sites. No violations detected. But the County Hearing for the Conditional Use Permits was an opportunity to raise the community issues outlined on the map. The blue areas are burrow pits. There are no gates and the community feels like that is a danger. There are also concerns about the increased truck traffic that will occur with the expansion of business approved by the permit. James stated that these not regulatory issues covered by permit conditions. They are quality of life and public safety issues. But having some knowledge about them at the local level gives the community a chance to address them early on in the process. He added that the Coverdale Community Council discovered that this company has a policy of giving back 10% of their profits to the community. This would be a good opportunity for the Coverdale group to negotiate a Community Benefit Agreement with the businesses in return for their support for the permit application. He will be sure to provide the Coverdale community with information about Community Benefit Agreements so that the Coverdale group could look into it before the upcoming public hearing for Conditional Use Permit.

#### **D. Morningside Village Elections**

James advised that Morningside Village elected new officers and the department has approved the loan. The department has given them a conditional loan and they have eight months after the election to begin meeting the terms of the agreement. Some of these terms are to deposit money into an account that specifies the account is for the operation of the community wastewater system and to submit monthly bank statements in order for it to become a grant. James stated there is a meeting with them on Friday evening.

### **VIII. Open Forum**

Patrick Emory thanked the council for the opportunity to have a healthy discussion over the whole process in dealing with public workshops.

### **IX. Adjournment**

The meeting was adjourned at 12:05 p.m.

Respectfully submitted,

Nicole Bixby

Administrative Specialist II, DNREC, State of Delaware

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Community Involvement Advisory Council members and the public in supplementing their personal notes and recall of presentations.*